



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 6
1445 ROSS AVENUE, SUITE 1200
DALLAS TX 75202-2733

JAN 27 2014

SPECIAL NOTICE LETTER – URGENT LEGAL MATTER
PROMPT REPLY NECESSARY, CERTIFIED MAIL: 7010 2780 0002 4354 8030
RETURN RECEIPT REQUESTED

Judith A. Reinsdorf
Executive Vice President & General Counsel
Tyco International
9 Roszel Road
Princeton, New Jersey 08540

Re: Cedar Chemical Corporation Superfund Site, West Helena, Phillips County, Arkansas
Request that you fund or perform RI/FS and reimbursement of costs
Special Notice: Please respond with a good-faith offer within 60 days

Dear Sir/Madam:

The purpose of this letter is to invite Tyco International, as a Potentially Responsible Party (PRP), to enter into negotiations with the U.S. Environmental Protection Agency (EPA) to undertake a Remedial Investigation and Feasibility Study (RI/FS) regarding hazardous substance contamination at the Cedar Chemical Corporation Superfund Site in West Helena, Phillips County, Arkansas (Site). The EPA has determined that there is a release or a substantial threat of a release of hazardous substance(s) at or from the Site and has identified numerous parties as owner/operator or an arranger/generator who shipped hazardous substances to the Site. The EPA has determined that there is contamination in the ground at the Site. According to copies of deed records and toll manufacturing agreements, you generated or shipped material containing a hazardous substance to the Site. Based on your status as an arranger/generator or transporter, the EPA has determined that you are potentially liable under Section 107(a) of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA or Superfund), 42 U.S.C. § 9607(a), and are responsible for the cleanup of the Site, including all past costs incurred by the EPA in responding to releases at the Site. The EPA is now contacting you and each PRP to offer an opportunity to enter into negotiations to perform the selected response and resolve the liability for the Site.

Opportunity to Negotiate

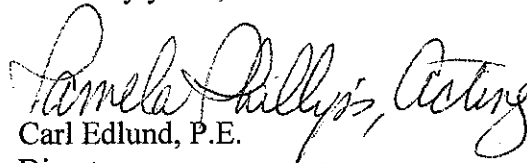
On behalf of the EPA, I am offering you this opportunity to enter into negotiations because the EPA believes that Tyco International may be responsible for the cleanup of the Site under the Superfund Law. I have enclosed a "special notice" which explains that responsibility more clearly in Enclosure 1. This notice also explains the purpose of the enclosed Draft Settlement Agreement and Order on Consent in Enclosure 2 and the enclosed Draft Statement of Work, which is Enclosure 3. A summary of past costs can be found in Enclosure 4. A list of all parties receiving this letter is contained in Enclosure 5. Enclosure 6 includes one document as an example showing evidence that you sent hazardous substances to the Cedar Chemical Corporation Superfund Site.

Within fourteen (14) days of the receipt of this letter, I ask you to contact the EPA Superfund Cost Recovery Enforcement Officer, Mr. Lance Nixon at (214) 665-2203 or nixon.lance@epa.gov, or have your attorney contact the EPA Assistant Regional Counsel, Marvin Benton, at (214) 665-3190 or benton.marvin@epa.gov, and let the EPA know whether you plan to enter into on-going, good-faith negotiations to enter into a settlement agreement with the EPA to perform a Remedial Investigation and Feasibility Study at the Site.

My staff will be available to explain the Superfund program and special notice process to you and respond to any concerns and questions you may have. If you or your attorney have legal questions, please call Mr. Benton at (214) 665-3190. If you have technical questions about the Site, please contact the Remedial Project Manager, Mr. Philip Allen, at (214) 665-8516. If you have any other questions, please contact Mr. Nixon at the number above.

We look forward to working with you during the coming months.

Sincerely yours,


Carl Edlund, P.E.
Director
Superfund Division

Enclosures (6)